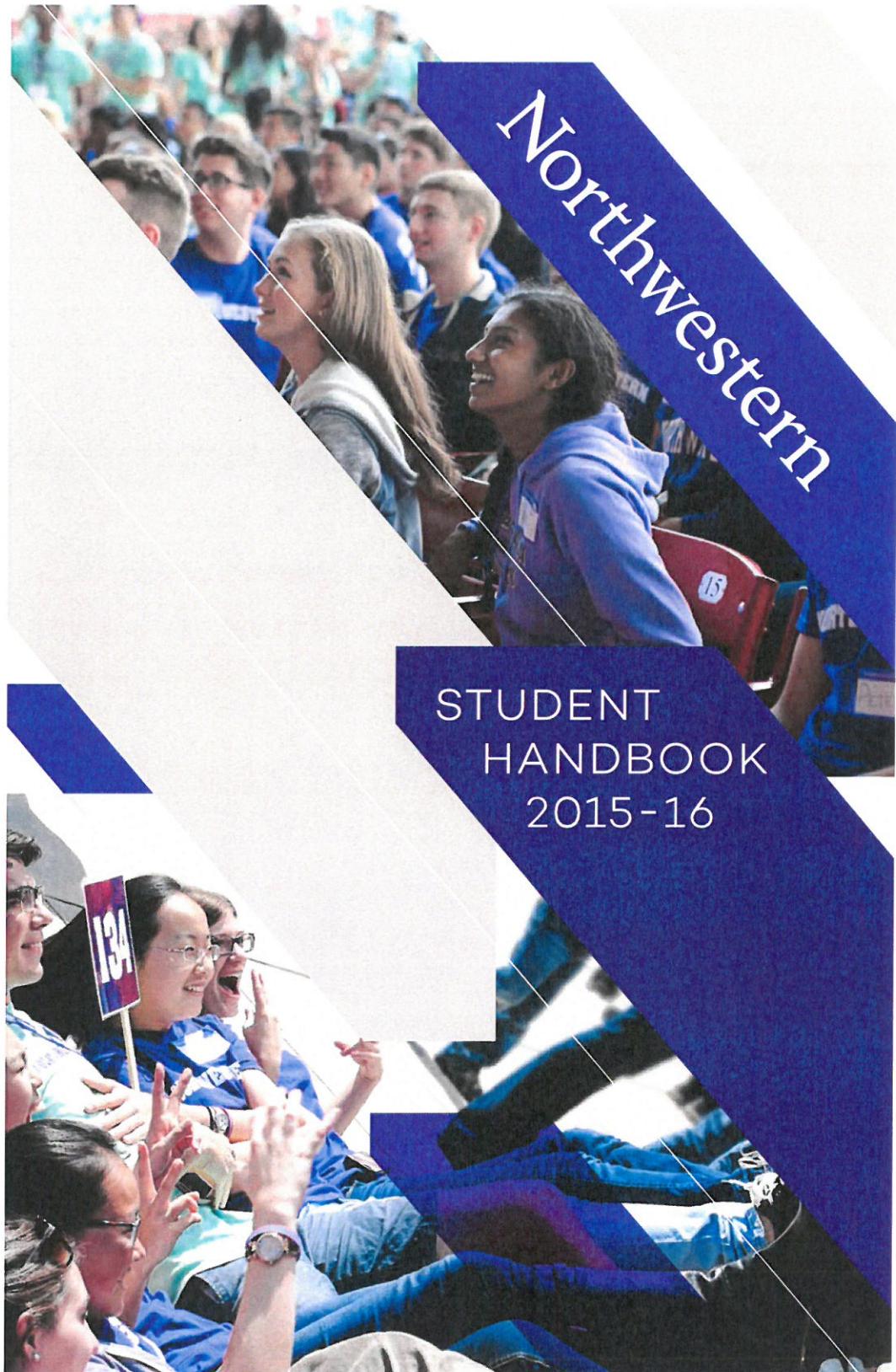


EXHIBIT A



THE COMMUNITY AT NORTHWESTERN

One goal of a university education is to help you develop as a unique individual—to be educated as a whole person, intellectually, emotionally, socially, ethically, and spiritually. Your development and learning as an individual occur, in part, when you engage in relationships with others and in activities that optimally challenge you. To enhance your growth and learning, become actively involved in the life of the Northwestern community. Engage your fellow students, faculty, staff, and Northwestern's various communities of interests and form relationships that both challenge and support your growth.

Your journey of individual development does not occur in isolation; it takes place within a dynamic learning community. As a large, complex, and diverse institution, Northwestern attempts to balance its needs—to foster freedom for individual growth, to support its various communities of interests, and to fulfill its broader teaching and research mission. What principles should guide our mutual efforts to meet the diverse needs within our learning community? A group of students presented these statements, as a work in progress for further discussion and study, and for your thoughtful consideration as a member of the Northwestern community.

Statement of Community Principles and Values

Northwestern University is an educationally purposeful community, a place where faculty and students share academic goals and work together to strengthen teaching and learning on campus.

- Commitment to truth and knowledge is unwavering.
- Respect for individual achievement and excellence is the cornerstone.
- Lifelong learning is expected.
- Northwestern University is an open community, a place where civility is powerfully affirmed and where freedom of expression is uncompromisingly protected.
- Civility and respect are expected behaviors.
- Individuality is affirmed while all strive to build a stronger sense of campus community.
- Freedom of choice is balanced with responsibility to the community.

Northwestern University is a just community, a place where the sanctity of the person is honored and where diversity is aggressively pursued.

- Individual differences and unique perspectives are respected.
- Our common humanity is the basis for community relations.
- Inclusion is the foundation for decision making.
- Northwestern University is a disciplined community, a place where individuals accept their obligations to others and where well-defined governance procedures guide behavior for the common good.
- Freedom is balanced with duty.
- Integrity and honesty are expected.
- Consideration for the needs and rights of others is the norm.
- Disagreement and conflict are acknowledged in respectful discourse.
- Northwestern University is a caring community, a place where the well-being of each member is sensitively supported and where service to others is encouraged.
- "Do no harm to others" is a nonnegotiable value.



- Accurate self-understanding is the foundation for empathy, compassion, and understanding others.
- Social responsibility and an ethic of service to others are extended to all members of the community.
- Emotional, physical, and spiritual wellbeing is cultivated in academic and extracurricular life.
- Northwestern University is a celebrative community, one in which the heritage of the institution is remembered and where rituals affirming both tradition and change are widely shared.
- History, traditions, and the contributions of the past are honored.
- Unique cultural and ceremonial practices are affirmed.
- Individual religious and spiritual beliefs are accepted.

Rights and Responsibilities of the Northwestern Community

Becoming a member of the Northwestern University community is an honor, a privilege that carries with it prestige and respect. The University affords students a number of rights that are fundamental to membership in our shared community. But along with these privileges and rights, membership also requires students to meet and uphold community standards.

Remaining a member of the Northwestern community requires a student to continuously comply with policies governing students' academic progress, social interactions, and personal behavior. As stated in one of the policies below, "Student status at Northwestern is a privilege earned by meeting standards of academic performance and adherence to policies governing conduct."

University-enacted policies are found in several sources, including, but not limited to, the Undergraduate Catalog, the Graduate School Bulletin, the undergraduate and graduate housing bulletins, the residence hall contract, the University's website, notices disseminated from time to time by the University or its schools and departments, and—of course—this Student Handbook.

The exercise of individual rights by students and other members of the Northwestern community may not abridge the following rights, subject, in appropriate circumstances, to the University's right to take actions to protect the health and safety of the University community and its members, guests, and visitors.

1. The right of a faculty or staff member to exclude from a classroom or other University premises, during the progress of a class or other University sponsored program or activity, persons not enrolled in the class or other unauthorized persons.
2. The right to privacy of a student or faculty or staff member in his or her office or other work area or lodging.
3. The right of the University to take actions reasonably determined to secure the rights outlined above and to assure that students, faculty, and staff may pursue their legitimate goals on University premises or at University functions without interference.

Policy Statement on Student Rights and Responsibilities

At Northwestern University, life outside the classroom is an integral part of the educational process. The exercise of responsibility is an important part of the development of the full potential of the student as an individual and as a citizen. The student's awareness of the extent of his or her rights and responsibilities is necessary to the exercise of responsibility within the University community. To further these objectives and in recognition of students as members of the Northwestern University community, the University has adopted the following statement of policy.

This policy statement has been formulated in a spirit of cooperation and community by representatives of students, faculty, and administration. It is a living document and thus is subject to change through participation of representatives of the same groups who participated in the original formulation.

1. Northwestern University does not discriminate or permit discrimination by any member of its community against any individual on the basis of race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, parental status, marital status, age, disability, citizenship, veteran status, or genetic information in matters of admissions, employment, housing, or services or in the educational programs or activities it operates.
2. The student has freedom of research, of legitimate classroom discussion, and of the advocacy of alternative opinions to those presented in the classroom.
3. The student will be evaluated on knowledge and academic performance for purposes of granting academic credit and not on the basis of personal or political beliefs.
4. The teacher-student relationship within the classroom is confidential, and disclosures of a student's personal or political beliefs expressed in connection with course work will not be made public without explicit permission of the student. It is understood that the teacher may undertake the usual evaluation of knowledge and academic performance.
5. Students' records may be released to persons outside the University only on request of the student or through compliance with applicable laws.

6. Information on rules, rates, and regulations deriving from contractual agreements with the University will be made available to students on request.
7. Students have a right to be secure in their possessions provided that the items they possess are not in violation of the law or a University policy. The University will not unreasonably search or take possession of students' belongings.
8. Students will be free from censorship in the publication and dissemination of their views as long as these are not represented as the views of Northwestern University and do not violate any University policies.
9. Student publications are **free from any official action controlling editorial policy**. Publications shall not bear the name of the University or purport to issue from it without University approval.
10. Students are free to form, join, and participate in any group for intellectual, religious, social, economic, political, or cultural purposes.
11. A student is **free**, individually or in association with other individuals, to engage in all campus activities, exercising the right of a citizen of the community, state, and nation, provided he or she does not in any way purport to represent the University.
12. Students are free to use campus facilities for meetings of student chartered campus organizations, subject to policies as to time and manner governing the facility.
13. Students may invite and hear speakers of their choice on subjects of their choice, and approval will not be withheld by University officers for the purpose of censorship.
14. Students will have their views and welfare considered in the formulation of University policy and will be consulted by or represented on University committees that affect students as members of the University community.
15. Students are free to assemble, to demonstrate, to communicate, and to protest, recognizing that freedom requires order, discipline, and responsibility and further recognizing the right of all faculty and students to pursue their legitimate goals without interference.



Should the student be found responsible for a subsequent violation of University policy, the University Hearing and Appeals System (UHAS) panel or hearing officer(s) will be informed of any Amnesty through Responsible Action the student has received for the purposes of determining an effective outcome.

Destruction of Property

Damaging, defacing, or vandalizing property.

Discrimination and Harassment

Northwestern University does not discriminate or permit discrimination by any member of its community against any individual on the basis of race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, parental status, marital status, age, disability, citizenship status, veteran status, genetic information, or any other classification protected by law in matters of admissions, employment, housing, services, or in the educational programs or activities it operates.

Harassment, whether verbal, physical, or visual, that is based on any of any of these characteristics is a form of discrimination. This includes harassing conduct affecting tangible job benefits, interfering unreasonably with an individual's academic or work performance, or creating what a reasonable person would perceive is an intimidating, hostile, or offensive environment. Prohibited sex discrimination includes sexual harassment and sexual violence. (For more information about sexual misconduct, please see page 60).

Examples of discrimination and harassment may include:

- Refusing to hire or promote someone because of the person's protected status
- Demoting or terminating someone because of the person's protected status
- Teasing or practical jokes directed at a person based on the person's protected status
- Jokes or epithets about a person's protected status
- Displaying or circulating written materials or pictures that degrade a person or group
- Verbal abuse or insults about, directed at, or made in the presence of an individual or group of individuals in a protected group

The University's full Policy on Discrimination and Harassment and Title IX Statement can be found at www.northwestern.edu/sexual-harassment/university-policies/discrimination/. A brochure with all of

this information can be found and printed at www.northwestern.edu/sexual-harassment/docs/discrimbrochure.pdf.

Disorderly Conduct

Disorderly conduct or disruptive acts, including the following:

- a. Action that significantly disturbs or endangers the peace or comfort of others or the community;
- b. Obstruction or disruption of University activities, including but not limited to, teaching, research, administration, studying, learning, co-curricular activities, and emergency services;
- c. Making, causing, continuing, or allowing to continue any loud, unnecessary, or unusual noise that disturbs the peace of others, including violations of residence hall quiet hours or Evanston noise ordinances;
- d. Intentionally initiating or causing to be initiated any false report, warning, or threat emergency or crisis;
- e. Urinating or defecating in public view or in a public space; and
- f. Other violations of the University's Disruption Policy (see page 108).

Endangering Self or Others

Any action (or threat of action) that endangers or threatens to endanger the health, safety, or wellbeing of any person (including oneself).

Failure to Comply

Failure to comply promptly with the reasonable request or instruction of a University official or emergency personnel acting in an official capacity, including, but not limited to, refusing to provide identification, refusing to dispose of or turn over to University authorities prohibited items, failing to respond, or leaving the scene of an incident.

Fire Safety

Acts that jeopardize the safety or security of the University, the University community, or any University facilities, building, or premises, including

- a. Intentionally damaging or destroying property by fire or explosives;

- e. Unauthorized release or disclosure of information related to a student conduct proceeding;
- f. Failure to comply with the sanctions or outcomes imposed for violations of this code or other University policies; and
- g. Failure to comply with the interim actions or informal resolution put in place by a University conduct administrator, including, but not limited to, failure to comply with a no-contact directive.

Misrepresentation

Acts of fraud, misrepresentation, or dishonesty, including the following:

- a. Forgery, alteration, or misuse of University documents, records, or identification or other materials;
- b. Knowingly furnishing false, forged, or inappropriately altered information to the University, any University official, or emergency response personnel;
- c. Intentionally misrepresenting the University, any University official, your status at the University or utilizing the University's brand without permission; and
- d. Possession, use, manufacture, or distribution of identification cards or devices that are false or fraudulent or that misrepresent an individual's identity, age, or other personal characteristics, including using another individual's identification.



Sexual Misconduct

Violations of the University's policy on Sexual Misconduct (see page 60), including, but not limited to,

- a. Sexual penetration without consent;
- b. Sexual contact without consent;
- c. Incest;
- d. Statutory rape;
- e. Sexual exploitation;
- f. Stalking;
- g. Dating and domestic violence; and
- h. Sexual harassment.

Unauthorized Taking

Unauthorized taking of property, including the following:

- a. Taking (e.g., stealing, theft) of property or services that do not belong to you without permission from the owner; and
- b. Knowing possession, sale, or distribution of stolen property or materials.

University Properties (Use of)

Unauthorized access to, entry to, presence in, or use of University properties, including the following:

- a. University facilities, property, systems, or services;
- b. Roofs, balconies, or fire escapes of any University building or facility for any purpose except in case of an emergency;
- c. Hosting an event in a University-owned or University-operated facility, property, or space that exceeds policies governing that space, including capacity or time restrictions; and
- d. Possession, duplication, distribution, or use of keys, access codes, access cards, or other means of entry or access to any University property, premises, or location.

Violations of Other Policies

Actions that violate federal, state, or local laws or ordinances or that violate other University policies are also violations of the Student Code of Conduct

Weapons and Related Items

Misconduct related to firearms, weapons of any description, explosives, or dangerous substances and devices (including, but not limited to, ammunition, air or pellet guns, paintball guns, slingshots, knives, firecrackers, fireworks, dangerous chemicals, or any other object or substance designed to or used with the intent to inflict a wound or cause injury, or imitations or replicas of any such items), including the following:

- a. Possession of any such item on University premises or at University activities or events (except as specifically authorized); and
- b. Use or brandishing of any such item, even if legally possessed, in a manner that harms, threatens, causes fear to, or otherwise endangers others.

SANCTIONS

Disciplinary Sanctions (Individual)

When a student or student organization is found in violation of the Code of Conduct, any of the following types of sanctions may be assigned. Sanctions should be appropriate to the policy violation(s) for which they are assigned. When considering the sanctions to be imposed, a range of factors may be considered, including the

- nature, context, and severity of an incident,
- developmental needs of the student,
- level of accountability and responsibility taken by the student,
- level of cooperation from the student,
- need to stop the misconduct and prevent its recurrence,
- need to remedy and address the impact or effects of the conduct on others,
- disciplinary history of the student,
- best interests of the University community, and
- any other aggravating, mitigating, or relevant factors.

A student's use of alcohol or other drugs prior to or in connection with an incident—even if lawfully consumed—will generally be viewed as an aggravating factor. Participation in high risk drinking or drug behavior, including, but not limited to, the participation in drinking games or other excessive abusive or irresponsible patterns of consumptions, are generally seen as additionally aggravating factors.

Where it is reasonably believed that a violation of any University policy has been committed against any person or group because of the person's or group's race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, parental status, marital status, age, disability, citizenship, veteran status, genetic information, or any other classification protected by law or policy, or because of the perception that a person or group has some such characteristic, sanctions may be enhanced up to and including separation from the University (e.g., University Suspension, Exclusion, Degree Revocation, Expulsion, or Group Dissolution).

Compliance with all assigned sanctions within the time allocated is mandatory. Failure to complete or comply with any assigned sanction, or failure to meet an assigned deadline (if applicable), may result in further disciplinary action, and/or the placement of a hold on a student's University account. If a student withdraws or takes a leave from Northwestern prior to the completion of their sanctions, they must complete all assigned sanctions before they will be able to reenroll.

Expulsion. Expulsion is the permanent removal of the student from the University. Expulsion includes forfeiture of all rights and degrees not conferred at the time of the expulsion, withdrawal from all courses, and forfeiture of tuition and fees. A student who has been expelled may not register for classes, submit coursework, receive academic credit, attend classes, remain in University housing, or participate in any function or event sponsored by the University or any of its departments, groups, or organizations (unless specifically authorized by the dean of students, or designee). A student who is expelled is also banned from entering, visiting, or being present on University property or facilities (unless specifically authorized by the dean of students, or designee). A student who has been expelled may never apply to be a student at Northwestern University again.

Degree Revocation. A student's degree is revoked. Degree revocation includes forfeiture of all rights and responsibilities associated with the degree, and forfeiture of tuition and fees. All restrictions outlined under Expulsion also apply, including the prohibition from applying to be a student at Northwestern University in the future.

Exclusion. Exclusion is exactly as is outlined above for Expulsion with one exception. The exception is that a student who is excluded must be separated from the University for a minimum of two years. After this time, a student may reapply to the University. To reenroll, an excluded student must receive formal acceptance of their application by the Office of Admission and approval from the vice president for student affairs, or designee.

A student who is excluded after having satisfied all degree requirements will not be awarded their degree until two years have passed and (i) they have completed any other conditions imposed for reentry, (ii) reapplied to the University, and (iii) received formal acceptance of their application by the Office of Admission and approval of the vice president for student affairs, or designee. The student may not participate in commencement exercises until the time their degree is conferred.

Suspension. A status, imposed for a minimum of one full academic quarter, in which students are removed from the University and may not register for classes, attend classes, submit coursework, receive academic credit, remain in University housing, or participate in any function or event sponsored by the University or any of its departments, groups, or organizations (unless specifically authorized by the dean of students, or designee). A suspended student may also be banned, during their suspension, from entering, visiting, or being present on University property or facilities (unless specifically authorized by the dean of students, or designee). Suspension may also include the imposition of conditions for reenrollment. The maximum length of a

suspension is two years; however, this may be extended to the planned degree completion date of a reporter to ensure that a respondent is not a student at the same time as a reporter.

If a student who has been suspended does not reenroll in the University within two years of the end of the suspension term (or longer if specified), the student may not reenter the University without acceptance of a formal application by the Office of Admission and approval of the vice president for student affairs, or designee (and completion of any other conditions that may have been imposed for reentry).

A student who is suspended after having satisfied all degree requirements will not be awarded their degree until the period of suspension is over and they have met all conditions for reenrollment. The student may not participate in commencement exercises until the period of suspension is over and they have been approved to reenroll.

In the event a disciplinary suspension and an academic or medical withdrawal occur simultaneously, the leaves of absence are to be effective consecutively, and not concurrently, unless otherwise determined by the hearing officers or panel.

Disciplinary Probation. A status imposed for a specific period of time to alert the student to the fact that their behaviors are substantially inconsistent with University policy and expectation. During this time, students are asked to take active steps toward improving their decisions and behaviors and to demonstrate that they can abide by University policy and succeed as a member of the Northwestern community. Any policy violation while the student is on disciplinary probation, will result in strong consideration of whether the student is a good fit for the Northwestern community and of whether separation from the University (i.e., suspension, exclusion, expulsion) is necessary. Probation will frequently be accompanied by a Loss or Restriction of Privileges or Activities sanction (see below).

Disciplinary probation may impact other opportunities for which a student's disciplinary record is considered as a criterion for participation.

Conduct Review. Conduct Review indicates that a student's behavior is a significant violation of University policy either because the student has had one significant incident or because the student is beginning to show a pattern of concerning behavior. Conduct Review is imposed for a specific period of time to encourage students to reflect upon their choices and behavior and to demonstrate the ability to abide by University policies and expectations. During this time, a student's behaviors will be observed and any policy violations committed during this period will likely result in a heightened level of response and a more significant sanction such as disciplinary probation or separation from the University. Conduct Review will be assigned for a minimum of three months and typically a maximum of a year.

Though Conduct Review does not place any formal restriction on a student's privileges or activities, it may impact opportunities for which a student's disciplinary record is considered as a criterion for participation.

University Warning. Formal notice that a student's actions violated a University policy, that such actions are not acceptable in our community, and that further misconduct, or any other violation of a University policy, may result in more impactful disciplinary action. Students are thus expected to reflect upon their decisions and to be mindful of how their future choices and actions may impact themselves, others, and the University community.

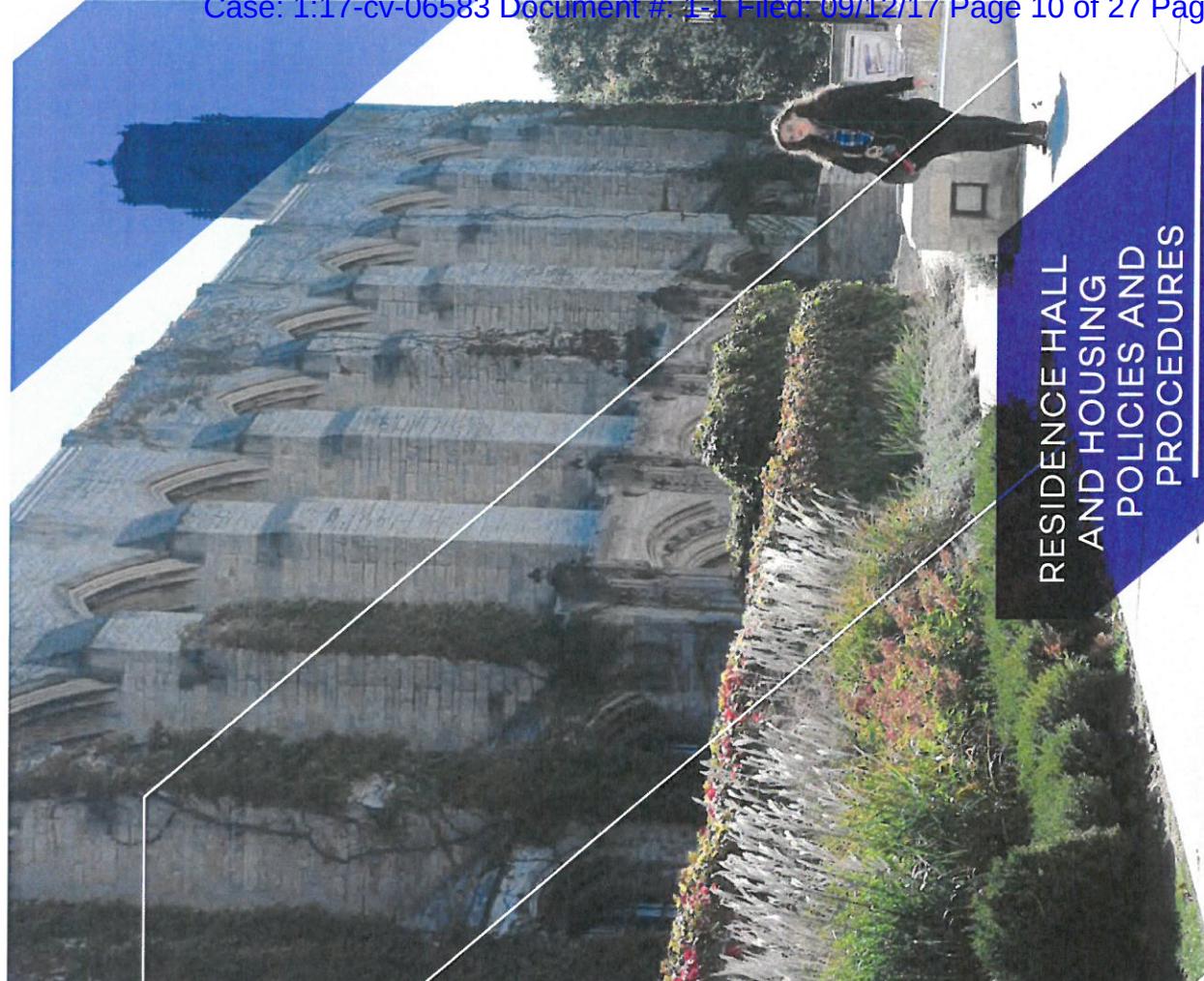
Fine. Fines are punitive monetary costs intended to dissuade students from violating the Code of Conduct. Fines collected are used by the University to fund services and programs for students.

Financial Restitution. Restitution is monetary compensation required of students who have taken, misused, damaged, or destroyed University, public, or private property or services. Amounts charged to students may include the cost to repair, replace, recover, clean, or otherwise account for the property or services affected.

Loss or Restriction of Privileges or Activities. The withdrawal of the use of services or privileges as a student or member of the community, or the loss of the privilege to participate in an activity or event. Examples include:

- Restriction on representing Northwestern University in any official capacity;
- Restriction from holding positions of leadership in any University-recognized student group or organization or from being hired by University departments to serve in leadership roles;
- Restriction from attendance at University events or activities;
- Restriction on use of University resources;
- Restriction on entry or access to particular locations, premises, or events;
- Restriction on contact with another member or group of members of the University community;
- Restriction on ability to study abroad; and
- Additional conditions as deemed appropriate by the hearing officer/panel.

Restrictions on Access or Contact. Restrictions or prohibitions on a student's entry or access to particular locations, premises, or events, or on a student's contact with another member of the University community.



RESIDENCE HALL AND HOUSING POLICIES AND PROCEDURES

letters of apology, drafting and implementing a plan of resolution, engaging in restorative justice conferences, and developing plans for reintegration.

Parent or Family Notification. Contact with a student's parents or legal guardians may occur or be required in certain circumstances in connection with a matter involving alleged student misconduct, including when (a) there has been a determination that the student's use or possession of alcohol or a controlled substance constitutes a violation of University policy or any Federal, state, or local law and the student is under the age of 21 at the time of disclosure; (b) knowledge of such information is necessary to protect the health or safety of a student in connection with an emergency; or (c) the disclosure is otherwise authorized by law and University policy.

Notification to National Organization Representatives, Officers, or Advisers (group only). The organization's national representative, officers, and/or advisers may be notified of the violation for which the student organization has been found responsible.

Other Reasonable Sanctions. Any reasonable sanction may be assigned that appropriately promotes the education and development of a student or student organization, ensures safety, or otherwise furthers the mission of the Office of Student Conduct.

CONDUCT RECORDS/ STUDENT STATUS

All student disciplinary files (paper and electronic formats) that involve matters resolved by the Division of Student Affairs are kept and maintained by the Office of Student Conduct and are considered educational records subject to the federal Family Educational Rights and Privacy Act (FERPA) and University policy.

Disciplinary matters that result in suspension, exclusion, expulsion, or degree revocation are kept permanently and will be reported to external third parties (such as graduate schools, employers, or licensing agencies) as required or permitted by law and University policy. Disciplinary matters that do not result in suspension, exclusion, expulsion, or degree revocation are kept until a student's graduation plus an additional amount of time as specified by law or University policy (generally seven years) but will not be reported to external third parties unless required by law or specifically requested by the student. Disciplinary matters resolved by the Office of Student Conduct are not recorded on a student's transcript.

The University may also report disciplinary matters that remain unresolved and pending at the time a student left or withdrew from the University, as required or permitted by law and University policy. Records of pending matters are kept indefinitely, once resolved, they are kept and maintained according to the policies stated above. Any response to a request for student disciplinary records will include a statement explaining the University's policy regarding retention and reporting of disciplinary records.

POLICY STATEMENT

Northwestern University prohibits all forms of sexual misconduct, including but not limited to, sexual assault, stalking, dating or domestic violence, and sexual harassment. Such conduct violates the community values and principles of our institution and disrupts the living, learning, and working environment for students, faculty, staff and other community members. In furtherance of this policy, Northwestern University has adopted the following standards of conduct for all members of our community – students, faculty, and staff, as well as University vendors, contractors, visitors, guests, and third parties – with respect to sexual misconduct. These standards apply equally to all regardless of the sex, gender, sexual orientation, gender identity, or gender expression of any of the individuals involved.

REASON FOR POLICY/PURPOSE

Northwestern University is committed to fostering an environment in which all members of our campus community are safe, secure, and free from sexual misconduct of any form. Our community expects that all interpersonal relationships and interactions – especially those of an intimate nature – will be grounded upon mutual respect, open communication, and clear consent. When learning of conduct or behavior that may not meet these standards, community members are expected take an active role in upholding this policy and promoting the inherent dignity of all individuals.

WHO APPROVED THIS POLICY

Vice President of Student Affairs
Provost
Executive Vice President for Business and Finance

WHO NEEDS TO KNOW THIS POLICY

All Northwestern University community members, including students, faculty and staff, as well as University vendors, contractors, visitors, guests, volunteers, interns, and third parties.

JURISDICTIONAL STATEMENT

Northwestern University has jurisdiction to investigate any alleged violations of this policy that occur in the context of a University program or activity or that otherwise affect the University's working or learning environments, regardless of whether that conduct occurred on or off campus. In situations where the alleged sexual misconduct occurred outside of the context of a University program or activity or off-campus,

and where one or more of the parties are not members of the University community, the University's ability to investigate and/or impose disciplinary sanctions may be limited. In such instances, the University reserves the right to take any steps it deems appropriate to address the situation and provide appropriate resources to those individuals impacted and, where appropriate, the broader University community.

WEBSITE ADDRESS FOR THIS POLICY

www.northwestern.edu/sexual-misconduct/university-policy/sexual-misconduct-policy

CONTACTS

If you have any questions about this policy, you may contact:

1. Title IX Coordinator and Director of the Office of Sexual Harassment Prevention: (847) 491-3745 or sexual-harassment@northwestern.edu
2. Dean of Students: (847) 491-8430 or dos@northwestern.edu
3. Deputy Title IX Coordinator for sexual misconduct complaints against students: (847) 467-5078 or student-conduct@northwestern.edu

POLICY

The terms and definitions used here are important components of University policy. The definitions are intended to give meaning to these terms in the context of the Northwestern University community. Criminal and other applicable state laws may use different definitions. Appendix A provides Illinois criminal law terms and definitions.

I. Consent

Consent represents the cornerstone of respectful and healthy intimate relationships. Northwestern University strongly encourages its community members to communicate – openly, honestly and clearly – about their actions, wishes, and intentions when it comes to sexual behavior, and to do so before engaging in intimate conduct. It is always the requirement of the individual initiating sexual contact (or undertaking a new type of sexual activity) to ensure that consent is present before acting and is present during sexual activity.

When determining whether consent was present, the University will consider whether a sober, reasonable person in the same position should have known whether the other party could or could not consent to the sexual activity.

The University may, however, initiate an educational discussion or pursue other educational interventions regarding alcohol or other drugs. These interventions do not include involuntary leaves for students from the University. Amnesty will not be extended for any violations of University policy other than alcohol/drug use. In addition, amnesty does not preclude or prevent action by police or other legal authorities.

PROCEDURES

the Deputy Title IX Coordinators, to coordinate Northwestern's compliance with VAWA and to respond to reports of violations, and its Clergy Coordinator to coordinate Northwestern's compliance with the Clergy reporting-related VAWA requirements.

VI. Free Expression and Academic Freedom

Northwestern University is firmly committed to free expression and academic freedom. We are equally committed to creating and maintaining a safe, healthy, and harassment-free environment for all members of our community. **We firmly believe that these two legitimate interests can coexist.** Discrimination, harassment, and retaliation against members of the Northwestern community are not protected expression or the proper exercise of academic freedom. The University will consider academic freedom in the investigation of reports of sexual misconduct or retaliation that involve an individual's statements or speech.

VII. Title IX Statement

It is the policy of Northwestern University to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination (including sexual harassment and sexual violence) based on sex in the University's educational programs and activities. Title IX also prohibits retaliation for asserting or otherwise participating in claims of sex discrimination. Northwestern has designated the Title IX Coordinator, with assistance of the Deputy Title IX Coordinators, to coordinate Northwestern's compliance with Title IX and to respond to reports of violations. For more information about Title IX, please go to www.northwestern.edu/provost/policies/title-ix/index.html. A person may also file a complaint with the Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by visiting www2.ed.gov/about/offices/list/ocr/complaintintro.html or calling 1-800-421-3481.

VIII. The Violence Against Women Act (VAWA) Statement

It is the policy of Northwestern University to comply with the federal Violence Against Women Act amendments to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act, and the accompanying regulations which became effective on July 1, 2015 (collectively referred to as VAWA). VAWA imposes additional duties on universities and colleges to investigate and respond to reports of sexual assault, stalking, and dating or domestic violence, and to publish policies and procedures related to the way these reports are handled. Northwestern has directed its Title IX Coordinator, with assistance of

Information covered in this section includes:

1. Seeking Medical Assistance
2. Preserving Evidence
3. Confidential Support, Advocacy & Counseling Services
4. Reporting Sexual Misconduct
5. Interim Protective Measures & Accommodations
6. Investigation & Resolution of Alleged Sexual Misconduct Violations
7. Educational Training, Awareness & Prevention Programs

1. Seeking Medical Assistance

Experiencing any form of sexual misconduct, especially acts of violence, is difficult and overwhelming. Survivors often experience a range of emotions, including fear, anxiety, and confusion, and may be unsure of what they want to, or should do, next. Regardless of whether the individual chooses to report the incident, the University strongly encourages survivors of any form of violence to seek medical attention as soon as possible, even if they feel no injury was sustained. Medical assistance providers can treat visible physical injuries and identify injuries that may not be visible, and, where appropriate, also test for and treat sexually transmitted infections, test for pregnancy, and provide emergency contraception (if requested). In addition, a hospital can test for the presence of alcohol or drugs (e.g., "date rape" drugs) and perform a rape evidence collection procedure (see Procedures Section 2), which are also strongly recommended to maintain all legal options.

B. Reporting Incidents to the University

An individual who has experienced sexual misconduct has the right to choose whether to report the incident to the Title IX Coordinator or Deputy Title IX Coordinator for investigation. As stated in Policy Section III, all University employees (including student employees) are obligated to promptly report incidents of sexual misconduct of which they become aware, unless they have a recognized confidentiality privilege. Further, the University encourages students and third parties who have observed or been made aware of sexual misconduct to report the incident to the Title IX Coordinator or a Deputy Title IX Coordinator for investigation.

The offices identified below are specially trained to work with individuals who report sexual misconduct and have knowledge about on- and off-campus resources, services, and options – including the availability of interim protective measures and accommodations discussed in Procedures Section 5. The University has generally designated the Title IX Coordinator to oversee complaints of sexual misconduct involving staff, faculty and third parties, and the Deputy Title IX Coordinator in the Office of Student Conduct to oversee complaints of sexual misconduct against students.

Title IX Coordinator and Director of the Office of Sexual Harassment Prevention
(Sexual misconduct complaints against faculty, staff, and third parties)

Contact: **Joan Slavin, Title IX Coordinator; Director, Office of Sexual Harassment Prevention**
Phone: (847) 491-3745
Location: 633 Clark Street, Room 2-636, Evanston
Email: j-slavin@northwestern.edu or sexual-harassment@northwestern.edu

www.northwestern.edu/sexual-misconduct

Website: www.northwestern.edu/sexual-misconduct/

Office of Student Conduct
(Sexual misconduct complaints against students)

Tara Sullivan,
Deputy Title IX Coordinator for sexual misconduct complaints against students; Assistant Dean of Students and Director of Student Conduct
Phone: (847) 467-5078
Location: 601 University Place, Lower Level, Evanston
Email: tara.sullivan@northwestern.edu or student-conduct@northwestern.edu

Sexual Misconduct Online Reporting Form:
Online: publicdocs.mxpient.com/reportingform.php?NorthwesternUniv&layout_id=31

Website: www.northwestern.edu/student-conduct

OTHER UNIVERSITY REPORTING OPTIONS

Office of Equal Opportunity and Access
(Discrimination and harassment complaints, including Title IX sex discrimination complaints)

Roberto Sanabria,
Deputy Title IX Coordinator for Sex Discrimination Complaints; Director, Office of Equal Opportunity and Access

Phone: (847) 491-7458

Location: 720 University Place, Evanston

Email: roberto.sanabria@northwestern.edu or eo@northwestern.edu

Website: www.northwestern.edu/hr/eoo

EthicsPoint
(For phone hotline or online complaints involving faculty, staff, and third parties):

Roberto Sanabria,
Deputy Title IX Coordinator for Sex Discrimination Complaints; Director, Office of Equal Opportunity and Access

Phone: (866) 294-3545

Location: 720 University Place, Evanston

Email: roberto.sanabria@northwestern.edu or eo@northwestern.edu

Website: www.northwestern.edu/ethics/

C. Reporting Incidents Involving Minors

As stated in the University's Policy on Reporting Suspected Abuse and Neglect Related to Minors, it is the University's Policy that all university community members are obligated to report to DCFS and University Police any suspected abuse and neglect of a child. This includes any and all incidents of sexual misconduct involving minors. (Policy available at policies.northwestern.edu/docs/Reporting_Child_Abuse_and_Neglect.pdf). Further, it is a crime in Illinois to fail to report sexual abuse of a child of which someone over the age of 18 has personally observed.

5. Interim Protective Measures & Accommodations

Interim protective measures and accommodations are reasonable measures the University can put in place to provide immediate support and added protection to an individual who reports having experienced sexual misconduct or retaliation, at no cost to that individual. These measures can be temporary in duration pending the results of an investigation, but can become permanent. Interim protective measures and accommodations include, but are not limited to:

- A no-contact directive issued by the Title IX Coordinator, Deputy Title IX Coordinator, or their designee
- Housing or work space relocation
- Adjustment of course schedules or employment schedules
- Time off from class or work, or a leave of absence
- Transportation arrangements
- Safety planning

Interim protective measures and accommodations can be made available regardless of whether an individual chooses to report an incident to University police or local law enforcement or pursue a complaint with the University. The Title IX Coordinator, Deputy Title IX Coordinator, or their designee will determine whether interim protective measures or accommodations are reasonable and should be implemented, and, if so, will work to ensure that interim protective measures or accommodations are implemented as soon as possible. The University will keep confidential any accommodations or protective measures provided, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the protective measures or accommodations.

To seek an interim protective measure or accommodation:

Students should contact any of the following:

The Center for Awareness, Response and Education (CARE)

Phone: (847) 491-2054

Location: 633 Emerson Street, Third Floor, Evanston

Email: care@northwestern.edu

Website: www.northwestern.edu/care

**Tara Sullivan,
Deputy Title IX Coordinator for sexual misconduct complaints
against students**

Phone: (847) 467-5078

Location: 601 University Place,
Lower Level, Evanston

Email: tara.sullivan@northwestern.edu or
student-conduct@northwestern.edu

Website: www.northwestern.edu/student-conduct

Staff and faculty should contact:

**Joan Slavin,
Title IX Coordinator**

Phone: (847) 491-3745

Location: 633 Clark Street, #2-636, Evanston

Email: j-slavin@northwestern.edu or
sexual-harassment@northwestern.edu

Website: www.northwestern.edu/sexual-misconduct/
www.northwestern.edu/sexual-harassment/

Violations of directives related to interim protective measures or accommodations may include, but is not limited to, the sanctions listed in Procedures Section 6B, including exclusion, expulsion, or dismissal from the University, and termination of employment, including revocation of tenure.

6. Investigation and Resolution of Alleged Violations of the Sexual Misconduct Policy

Reporting an incident of sexual misconduct or retaliation to the University can result in the investigation of whether a violation of this policy occurred and can also result in disciplinary action against any student, staff or faculty member, or outside party, who is determined to have violated this policy. The University has generally designated the Title IX Coordinator to oversee complaints of sexual misconduct and retaliation involving staff, faculty and third parties, and the Deputy Title IX Coordinator in the Office of Student Conduct to oversee reports of sexual misconduct and retaliation against students. The University may also rely upon any Deputy Title IX Coordinator or Title IX Investigator, the Office of Equal Opportunity and Access, the Office of Human Resources, and outside investigators to conduct investigations, as needed. Further, a report of sexual misconduct or retaliation will be routed to the appropriate office for investigation, regardless of where it is initially directed.

The University's investigative and resolution processes of reports of violations of this policy will be prompt, fair and impartial. The procedures set forth below are intended to afford a prompt response to reports of sexual misconduct, to maintain privacy and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

Complaints of sexual misconduct and retaliation will be investigated and resolved in accordance with this policy. Because such allegations can sometimes raise novel issues and involve competing interests, the University reserves discretion to take reasonable actions to address those issues in a manner consistent with the spirit of this policy, and which preserves fairness for both parties and maintains the integrity in the investigation and resolution processes.

A. Standard of review

The University uses the preponderance of the evidence standard to determine responsibility of violations of this policy.

B. Sanctions, corrective actions, and remedies

Violations of this policy may result in sanctions and corrective actions, which can include, but are not limited to:

- Verbal warning
- Written warning
- Advisory letter
- Monitoring
- Disciplinary hold on academic and/or financial records
- Performance improvement/ management process
- Required counseling or therapy
- Required training or education
- Campus access restrictions
- No trespass order issued by NUPD (with respect to campus locations)
- No contact directive (with respect to an individual)
- Loss of privileges
- Loss of oversight, teaching or supervisory responsibility
- Probation
- Demotion
- Loss of pay increase
- Transfer (employment)
- Revocation of offer (employment or admissions)
- Disciplinary suspension
- Suspension with pay
- Suspension without pay
- Exclusion
- Expulsion
- Degree revocation
- Termination of employment
- Revocation of tenure
- Termination of contract (for contractors)

The University may assign other sanctions as appropriate in each particular situation.

Sanctions and corrective actions will be imposed in accordance with relevant policies and/or procedures and other requirements set forth in the applicable Staff Handbook, Faculty Handbook, Student Handbook, other policies or handbooks that may be developed over time, or contracts. In addition, the University may take steps to remediate the effects of a violation on victims and others.

Following an investigation, the University may extend interim protective measures and accommodations, and/or take other measures to eliminate any hostile environment caused by the sexual misconduct, prevent the recurrence of any sexual misconduct, and remedy the effects of the sexual misconduct on the complainant and the University community. Such measures may include, but are not limited to, the interim measures and accommodations referenced in Procedures Section 5, as well as counseling, training, and other preventative measures.

C. Advisor/legal counsel

Complainants and respondents may be accompanied by one advisor throughout the investigation and any hearing process. An advisor is a support person who is present to provide support to a complainant or respondent throughout an investigation and/or hearing. A union representative may serve as an advisor, where applicable. An advisor may not speak, write, or otherwise communicate with an investigator, hearing officer or panel on behalf of the complainant or respondent, and, because these are internal University proceedings, may not function as legal counsel.

To enhance the integrity of the investigation process and help ensure fairness for all parties, advisors cannot be a witness or party in the matter or a related matter, a family member of the complainant or respondent, or an attorney. In matters in the Office of Student Conduct, advisors must also be members of the Northwestern community.

However, in any matter involving a complaint of sexual assault, stalking, or dating or domestic violence, the advisor may be any person of the party's choosing, including an attorney. In this case, the advisor is still limited to the supportive and not participatory role described above. Advisors who do not abide by these guidelines may be excluded from the process.

D. Privacy and Sharing of Information

The University considers complaints and investigations conducted under this Policy to be private matters for the parties involved. For that reason, the University will protect the identity of persons involved in reports of sexual misconduct to the best of its ability. The University will only share personally identifiable information with persons with a need-to-know in order for the University to investigate and respond or to deliver resources or support services. The University does not publish the names nor post identifiable information about persons involved in a report of sexual misconduct in the University Police Daily Crime Log (Blotter) or elsewhere online. The University does not confirm to outside parties the identity of an individual who may be involved in a report of sexual misconduct without that individual's consent. However, the University cannot promise complete confidentiality or privacy in the handling of sexual misconduct reports or complaints.

Most situations require the disclosure of the complainant's identity to those involved in the investigation in order to fully investigate the matter and/or to enable the respondent to fully respond to the allegations. When individuals report allegations of sexual misconduct to the University and do not consent to the disclosure of their names and/or do not disclose the identity of the alleged offenders or identifiable information about the alleged offenders, the University's ability to respond to the complaints may be limited. In cases where an individual reporting sexual misconduct requests anonymity or does not wish to proceed with an investigation, the University, will attempt to honor that request but, in some cases, the Title IX Coordinator or Deputy Title IX Coordinator may determine that the University needs to proceed with an investigation based on concern for the safety or well-being of the broader University community (e.g., risk of future acts of sexual violence or a pattern of sexual misconduct). Northwestern reserves the right to take appropriate action in such circumstances, including in cases when the individual reporting the misconduct is reluctant to proceed.

All participants in an investigation of sexual misconduct will be informed that confidentiality helps enhance the integrity of the investigation, protect the privacy interests of the parties and protect the participants from statements that might be interpreted to be retaliatory or defamatory. For these reasons, the complainant and respondent will be asked to keep the information related to the investigation private, to the extent consistent with applicable law. Witnesses and advisors will be directed to maintain complete confidentiality.

Upon the conclusion of an investigation, the complainant and respondent will, notified in writing, at the same time, of the outcome of the investigation, including whether the alleged conduct was found to have occurred, and any sanctions imposed on the respondent that directly relate to the complainant. For the same reasons noted above, the University encourages the parties to maintain the confidentiality of this communication.

E. Investigations and resolution of complaints against faculty, staff and third parties

The University Sexual Harassment Prevention Office (USHPO), through the Title IX Coordinator, Title IX Investigator, or designee, investigates complaints of sexual misconduct, including complaints of sexual harassment and sexual assault, brought against faculty, staff and third parties.

When a complaint is received, the Title IX Coordinator, Title IX Investigator, or designee interviews parties and witnesses and reviews any relevant documents and evidence. Once an investigation is completed, the investigator makes findings on whether the preponderance of the evidence indicates that the respondent violated the University's Policy on Sexual Misconduct. The investigator advises the parties of the findings in writing, and communicates findings and recommendations to other University offices as needed for resolution and determination of sanctions or corrective actions. Most investigations are completed within 60 days. Parties may file an appeal of an investigator's findings.

USHPO's Complaint Resolution Guidelines describe in detail the process used to investigate complaints of sexual misconduct against faculty, staff, and third parties, as well as the process for appealing the findings and sanctions and corrective actions. www.northwestern.edu/sexual-harassment/where-to-get-help/what-happens-with-a-complaint.html.

F. Investigations and resolution of reports against students

The Deputy Title IX Coordinator for sexual misconduct complaints against students, Title IX Investigator, or designee, investigates reports of alleged violations of this policy by Northwestern students.

When a report is received, the Deputy Title IX Coordinator or designee will conduct an initial inquiry to determine the resolution plan. If action is required to remediate the impact of the alleged policy violation, the Deputy Title IX Coordina-

tor will take interim actions or make accommodations as appropriate. If the report has not been resolved informally, the matter will then be assigned to an investigator who will gather full details related to the report. The investigator will interview the parties and relevant witnesses and review relevant documents and evidence.

Resolution of these reports is determined through the University Hearing and Appeals System (UHAS) which is managed by the Office of Student Conduct (OSC). Under the UHAS process, if it is determined by the Director of OSC that the alleged policy violation has the potential to result in a separation from the University (e.g., suspension, exclusion, expulsion, degree revocation), the investigator will complete an investigative report that includes details of the investigation and the investigator's findings of fact. The report will be provided to the individual reporting the misconduct, the respondent, and the University's hearing panel. A Panel hearing will be held, in which the parties will have the opportunity to meet with the panel individually. The panel will determine responsibility for policy violations and, if applicable, sanctions. If it is determined by the Director of OSC that the alleged policy violation does not have the potential to result in separation from the University, it will be resolved through an Administrative hearing.

Most investigations are completed within 60 days. There is a review/appeals process available to both reporters and respondents in all cases. Complete procedures for the University Hearing and Appeals System can be found in the student handbook (bit.ly/NUSStudentHandbook)

G. Complaints regarding the specific allegations of sexual assault, stalking, dating or domestic violence

Individuals who report to the Title IX Coordinator, a Deputy Title IX Coordinator, or University Police that they have experienced sexual assault, stalking, or dating or domestic violence, whether the offense occurred on- or off-campus, will be provided with a written explanation of their rights, options, and resources including a link to this policy. Specifically, this notice will include information about:

- Services and resources related to counseling, health and mental health, legal, visa and immigration, and student financial aid;
- Interim protective measures and accommodations, and how to request them during the course of the investigation;

- The procedures for institutional disciplinary action in cases of sexual assault, dating or domestic violence and stalking; and
- Preserving evidence, reporting to law enforcement, being assisted by University officials in reporting to law enforcement, seeking a protective order, and confidentiality.

IX. Educational Training, Awareness and Prevention Programs

The University offers a variety of training, awareness and prevention programs to help prevent sexual misconduct within the Northwestern community. The University strives to ensure that such programming is developed to be culturally relevant; inclusive of diverse communities and identities; sustainable; responsive to community needs; is informed by research or assessed for value, effectiveness, or outcome; and considers environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels. Additionally, the University provides annual training to investigators, and hearing panel members are trained on issues related to sexual misconduct, investigation, and resolution. For information on educational training, awareness, and prevention programs offered each year, see www.northwestern.edu/up/safety/annual-report/.

FORMS/INSTRUCTIONS

N/A

APPENDICES

A: Resource of Relevant Terms and Definitions in Illinois

Appendix A: Pamphlet: "You Have Options. We Can Help: Northwestern University Resource Guide on Sexual Misconduct and Title IX"

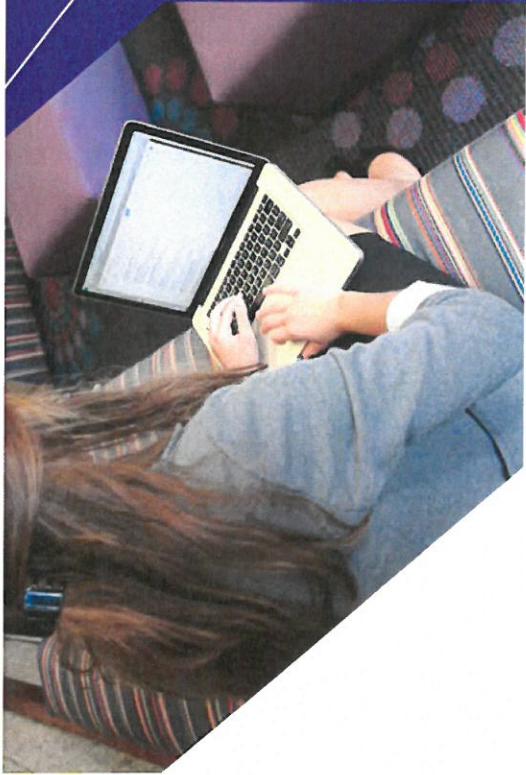
Appendix B: Brochure: "What You Should Know About Discrimination, Harassment, Sexual Harassment, and Sexual Misconduct"

RELATED INFORMATION

N/A

HISTORY/REVISION DATES

Origination Date: January 13, 2014
Amended Date: October 30, 2014
Last Amended Date: September 10, 2015



Cable, Satellite, and IP Delivered Television

Policies that apply to all students using cable television services within the University can be found in the Northwestern University Policy on Cable, Satellite, and IP Delivered Television section at www.it.northwestern.edu/policies/catv.html.

Civility, Mutual Respect, and Unacceptability of Violence on Campus

Individuals covered by these policies include faculty, staff, and students, including postdoctoral fellows and research and academic staff.

1. **Policy.** As members of the Northwestern community, its faculty, staff, and students are expected to deal with each other with respect and consideration.
2. **Expected behavior.** Each community member is expected to treat other community members with civility and respect, recognizing that disagreement and informed debate are valued in an academic community.
3. **Unacceptable behavior.** Demeaning, intimidating, threatening, or violent behaviors that affect the ability to learn, work, or live in the University environment depart from the standard for civility and respect. These behaviors have no place in the academic community.
4. **Violence.** Violence is behavior that causes harm to a person or damage to property or causes fear for one's safety or the safety of others. Examples of violent behavior include physical contact that is harmful and expression of intent to cause physical harm. Such behavior is unacceptable in the Northwestern community.
5. **Weapons.** Weapons of any kind are prohibited on campus except for those carried by sworn police officers.
6. **Responsibility to act.** A member of the community who is involved in or witnesses behavior on campus that poses imminent danger should immediately contact the University Police. In situations that do not involve imminent danger or for advice on the appropriate course of action, a member of the community is to notify a supervisor, department head, or student affairs staff member. Alternatively, the observer may report the incident to the Office of the Provost, the Department of Human Resources, or the Office of the Vice President for Student Affairs.
7. **Orders of protection.** Community members who have obtained restraining or personal protection orders are encouraged to provide a copy of the order to University Police for enforcement on campus.

Computer and Telecommunications Equipment, Facilities, and Services

The University provides computing facilities for faculty, staff, and student use. These facilities and services extend to include (but are not limited to) Information Technology, the University Library, many departmental computers and servers, residence hall computers, and telephone instruments (voice and/or data transmission) in offices, residence halls, and other buildings. Misuse of these facilities, services, and equipment is a violation of University policies and may also be a violation of federal, state, and local laws. Such misuse includes unauthorized use of the facilities, services, equipment, account numbers, or files; damage to facilities and/or equipment; tampering with or destruction of programs, files, or accounts; and similar activities. Students who violate these or any other computing or telecommunications facilities policies shall be subject to University disciplinary procedures that may include fines, restitution of funds, probation, suspension, or exclusion from the University.

UNIVERSITY HEARING AND APPEALS SYSTEM

OVERVIEW

The purpose of the student conduct process is to promote integrity, civility, respect, and accountability within the University community and to provide prompt, fair, and impartial means for resolving situations in which a Northwestern student(s) or student groups/organizations are alleged to have violated a nonacademic standard or policy of the University.

This section of the Student Handbook explains the student conduct process, also known as the University Hearing and Appeals System (UHAS). This is the process used to resolve alleged violations of University policies by Northwestern students. A number of factors, including the conduct alleged, the potential sanctions, and the interest and willingness of a reporter to engage in the student conduct process will determine the specific aspects of this process that are utilized in each case. The process is detailed in this section as follows:

- ***Overview*** – In order to fully understand the UHAS, it is important to have an understanding of some of the foundational aspects of the system
- ***Report and Initial Inquiry*** – The student conduct process begins when the Office of Student Conduct receives a report or a referral.
- ***Interim Actions*** – At times, the University may take action to ensure the safety and security of the Northwestern community and its members while resolution of a student conduct case is pending.
- ***Informal Resolution*** – Reporters may prefer or the University may determine that an allegation is best resolved through informal means.
- ***Formal Resolution*** – The University uses administrative and panel hearings to determine responsibility for alleged policy violations and, when applicable, to assign sanctions.

Office of Student Conduct

The Office of Student Conduct (OSC) is responsible for ensuring students honor and respect themselves, their peers, and the Northwestern community. The OSC does this by maintaining and enforcing the Student Code of Conduct and the student conduct process known as the University Hearing and Appeals System.

The Office of Student Conduct is responsible for resolving nonacademic student conduct matters, for ensuring student compliance with all nonacademic conduct conditions and sanctions assigned through the student conduct process, and for maintaining official non-academic student conduct records. The Office of Student Conduct designates individuals or entities to administer the student conduct processes, including the appointment of University Conduct Investigator(s), University Hearing Officers, and the University Hearing Panel.

Time Limitations

There is no time limit for when an incident of alleged misconduct may be reported; however, absent exceptional circumstances, the OSC typically will not investigate reports submitted after the respondent has graduated or over one calendar year after the occurrence of the alleged incident. With agreement from the vice president for student affairs, the OSC may investigate and resolve a report of misconduct for a student who has graduated and is alleged to have committed a violation during their time as a student. All reports should be made as soon as possible after the incident of alleged misconduct because the passing of time makes a review of the evidence much more difficult, and the memories of involved parties become less reliable.

Case Timelines

Though the University strives to resolve all cases in a timely manner, there is no typical timeline for a case. The University is committed to providing an initial resolution for all cases within 60 days of receiving notice of the incident. Additional time may be needed for appeals or for exigent circumstances such as break periods or leaves of absence. However, most cases are resolved in a much shorter timeframe, many in a couple weeks.

Participation

The University invites reporters and witnesses to participate fully in the student conduct process. In order for OSC to investigate a student conduct matter and/or enable a respondent to fully respond to the allegations, most situations will require the reporter's participation and that their identity be disclosed to the participants in the student conduct process. If a reporter decides not to participate, but wants student conduct action to be taken, the University will determine whether it is possible to move forward with a case without the participation of the reporter. In some cases, it will not be possible for student conduct action to be taken without the participation of the reporter. Should the reporter request anonymity or decide that they do not want student conduct action taken, the University will attempt to honor this request but, in some cases, the University may need to proceed with an investigation and/or hearing based on concern for the safety or well-being of the broader University community.

The University expects respondents to participate fully in all aspects of the student conduct process. If a respondent elects not to participate in any part of the process, the Office of Student Conduct may proceed without the respondent's participation. Respondents will be held accountable for any outcomes issued, even if they fail to participate.

For additional information on participation for cases related to sexual misconduct, please see the section titled Cases Related to Sexual Misconduct on page 148.

Retaliation

University policy strongly prohibits the taking of any retaliatory action for the good faith reporting of alleged improper or wrongful activity, assisting another in making such a report, or participating in an investigation or resolution of such matters. Thus, it is prohibited to engage, directly or indirectly, in any action or attempt to harass, intimidate, retaliate against, or improperly influence any individual associated with the student conduct process. Any participant in a pending UHAS proceeding who is aware of possible retaliation or has other concerns regarding a UHAS matter should report these concerns to the OSC, the dean of students, or the vice president for student affairs, who shall take appropriate action to address such conduct in a prompt and equitable manner.

Definition of Roles

In the student conduct process, the person who reports a concern and/or who has been impacted by an alleged policy violation is known as the reporter. The term reporter is synonymous with the term complainant which is used in other areas of the University. The person who is alleged to have violated University policy is known as the respondent. Witnesses are people who have direct or indirect knowledge related to specific aspects of a conduct case.

Participant Rights and Responsibilities in UHAS

All who participate in the UHAS will be treated with dignity and respect and have the right not to be retaliated against for their participation. Those who participate in UHAS, as either a reporter or a respondent, have the following additional rights:

- To be given notice of the allegations before the hearing and to have the allegations explained clearly and fully
- To a prompt, fair, and impartial investigation and resolution
- To a hearing—defined as the opportunity to be heard and to give one's account of the situation
- To be knowledgeable about the information being considered by the investigator/hearing officer and to have the opportunity to respond to that information
- To have the allegations resolved by hearing officers, panel members, and investigators who are properly trained and who are able to act impartially



Privacy

All parties involved in a conduct case, investigation, or hearing are restricted from disclosing the identity of the parties and any details or information regarding an incident, investigation, or hearing to anyone except to officers of the University as necessary to implement any provisions of this system or the business of the University or otherwise in conformity with law or University policy. Any individuals who violate these confidentiality provisions will be subject to possible sanctions through the appropriate resolution process. The University reserves the right to share information regarding the case with other appropriate parties on a need-to-know basis in accordance with FERPA. For additional information on the privacy expectations for cases related to sexual misconduct, please see the section titled Cases Related to Sexual Misconduct on page 148.

REPORTS AND INITIAL INQUIRY

Reports of Alleged Misconduct

Anyone is welcome to submit an incident report to the OSC describing alleged student misconduct. Reports of alleged student misconduct can be submitted to the OSC through an incident report form, which can be found here: bit.ly/NUSStudentConductReports. Separate reports are provided on this site for general concerns, as well as for incidents involving sexual misconduct and bias. Students who prefer to submit a report in person can contact the Office of Student Conduct at student-conduct@northwestern.edu or 847-491-4582 to schedule a meeting with a staff member. Incident reports are also commonly received through University entities including but not limited to Residential Services, Northwestern University Police Department, Title IX coordinators and deputy coordinators, and Office of Fraternity and Sorority Life, as well as the Evanston Police Department.

While anonymous incident reports will be reviewed by the OSC, the University's ability to address alleged misconduct reported by anonymous sources is significantly limited; therefore, anonymous reports are discouraged.

Initial Inquiry

A student conduct administrator designated by the Office of Student Conduct will gather information regarding the alleged incident in order to determine the appropriate means of resolution. During the initial inquiry, the administrator will review all available information related to a report. Based on the information available, the level of detail known about an incident, the interest and willingness of a reporter to participate in the student conduct process, and whether the report is related to a University policy, the administrator will determine the appropriate path for each case. Available options include:

- Dismiss the Case: In order for a case to be referred for disciplinary action, there must be sufficient information to believe a policy violation may have occurred and the alleged individual/group may be responsible. Cases may be dismissed when insufficient information exists to move forward and when the alleged misconduct—even if substantiated—would not be a violation of policy.
- Informal Resolution: The conduct administrator may determine an informal resolution would best resolve the situation. Examples of informal resolutions can include, but are not limited to, a warning to cease current behaviors, no-contact directives, and changes in academic, work, or living arrangements.

- To be accompanied by an advisor, if desired (see "Advisors," below)

- To be advised of the appeals process

Participants also have responsibility to be completely honest at all stages of the process and with all conduct administrators, investigators, hearing officers, and hearing panel members. Students and others involved in the student conduct process are encouraged to be forthright and as specific as possible but may choose the extent to which they share information. Any person who knowingly makes a false statement in connection with UHAS matters may be subject to disciplinary action.

Advisors

Reporters and respondents are invited to be accompanied by one advisor throughout the student conduct process. An advisor is a support person who is present to provide support to either a reporter or respondent during the student conduct process. As such, advisors may not speak, write, or otherwise communicate with an investigator, hearing officer, or panel and may not function as legal counsel.

To enhance integrity in the student conduct process, including fairness for all parties, and to ensure that the focus of the student conduct process remains the Northwestern community and its students, advisors cannot be a witness or party in the matter or a related matter, must be a member of the University community (faculty, staff, or student) and/or a victim advocate, and cannot be a family member of the reporter or respondent, or an attorney.

Advisors who do not abide by the structure of their role will be asked to leave the room, and the student conduct process will continue without the advisor present. For information on advisors permitted in cases related to alleged sexual assault, stalking, and dating or domestic violence, please see the section titled Cases Related to Sexual Misconduct on page 148.



FORMAL RESOLUTION

The University Hearing and Appeals System is not a court, legal, or trial system, and the resolution options, including formal resolution, available through UHAS are not constrained by the rules of procedure or evidence typically used in a court of law. UHAS operates under a standard of fairness, which includes an opportunity for the student/group to be notified of the alleged misconduct and the policy violations under consideration and an opportunity to be heard. As such, if a case is referred for formal resolution, the respondent will be notified of the alleged misconduct and will be given an opportunity to respond.

Standard of Evidence

The Office of Student Conduct uses the preponderance of the evidence standard in investigations and hearing. This means that the investigator, conduct administrator(s), or panel must determine more likely than not what occurred.

Notification

When a case will be resolved through formal resolution, a conduct administrator will send notification of the allegation of misconduct to the respondent. The notification will typically include a brief description of the alleged misconduct, including the time, date, and place the incident allegedly occurred, a list of any University policies allegedly violated, and a description of the steps toward resolution.

Acceptance of Responsibility

Occasionally the conduct administrator may send students an acceptance of responsibility letter in lieu of notification. An acceptance of responsibility letter contains the same information as a notification, except it provides the respondent the option to forego a hearing and accept responsibility for an alleged violation. Acceptance of responsibility letters are only used for relatively minor incidents at the discretion of the conduct administrator assigned to the case. Respondents may always decline to accept responsibility and request a hearing instead. Failure by a student to request a hearing within a reasonable time as designated by the conduct administrator in writing to the student (typically, within 72 hours of receiving the Acceptance of Responsibility) will result in the decision of responsibility being finalized, and any proposed sanctions will be applied. Decisions rendered by either acceptance of responsibility or failure to respond pursuant to an acceptance of responsibility letter are not eligible for administrative review or appeal, except on the grounds that the student did not have a reasonable opportunity to receive and respond to the letter. Acceptance of responsibility is not utilized in cases involving alleged sexual misconduct.

Types of Hearings

There are two types of hearings offered through UHAS: Administrative Hearings and Panel Hearings. An Administrative Hearing or Panel Hearing is used to resolve a case as follows:

- Administrative hearings are used in all cases that do not have the potential to result in separation from the University (i.e., suspension, exclusion, degree revocation, expulsion, or group dissolution).
- Panel hearings are used in all cases with the potential to result in separation from the University and which involve allegations of: (1) an incident of violence (involving force or threat of force, aggravated assault, robbery/murder or non-negligent manslaughter) for which the victim is a current and continuing member of the University community, or (2) sexual misconduct.
- In cases with the potential to result in separation from the University that do not involve allegations of an incident of violence (as defined above) or sexual misconduct, the respondent may choose whether to have the allegations resolved through an Administrative or a Panel Hearing.

The potential of an alleged violation to result in separation from the University will be determined by the director of the Office of Student Conduct or designee. For additional information on the hearing types used in cases involving alleged sexual misconduct, please see the section titled Cases Related to Sexual Misconduct on page 148.

Administrative Hearings

An Administrative Hearing is a conversation between a respondent and a conduct administrator, known as a Hearing Officer.

Hearing Officers

A Hearing Officer is a conduct administrator assigned to a specific case of alleged misconduct. Conduct administrators are members of the University staff, usually from within the Division of Student Affairs. Conduct administrators are trained by the OSC to serve as Hearing Officers and to investigate, hear, and resolve matters of student conduct according to the policies and procedures outlined here. It is the responsibility of the OSC to ensure Hearing Officers are able to act impartially in all cases they hear. If a student is concerned about the ability of a Hearing Officer to act impartially, they can request that the director of the OSC review the assignment of the Hearing Officer. For an administrative hearing, this request should be made upon receipt of initial contact by the Hearing Office, and in all cases, prior to the beginning of the hearing.

Investigation

The Hearing Officer assigned to a case of alleged misconduct may begin by conducting an investigation into what occurred. This investigation may include, but is not limited to, reviewing documentation, speaking with the reporter, respondent, and/or witnesses; reviewing material available electronically; or requesting written statements from any person involved in the alleged incident. The scope of the investigation will vary depending on the particular facts and information available in each case. When more complex investigations are required, similar procedures as are outlined in Panel Hearing Investigations (see page 142) will apply, though a formal investigative report is not written.

Format of Administrative Hearings

An Administrative Hearing is structured as a discussion or conversation and is conducted in private. The Hearing Officer will review the incident report and/or findings of their investigation with the respondent and give the respondent an opportunity to respond. In all cases both the reporter and respondent will have equal opportunities to share information and have their information considered. The Hearing Officer will determine whether the respondent is responsible for the alleged policy violation and, if so, will issue appropriate sanctions. At times, the Hearing Officer will communicate the outcome of the Administrative Hearing at the end of the meeting. However, at times, the Hearing Officer will need additional time to consider all of the information related to a case and will communicate the outcome with the respondent in a reasonable timeframe after the Administrative Hearing (see "Notification of Outcome" on page 144).

Administrative Reviews

Both the reporter and respondent have the right to request an Administrative Review of the outcome of an Administrative Hearing. Requests for Reviews must be submitted in writing within a reasonable time as designated by the conduct administrator in writing to the student (typically, within 72 hours of receiving the outcome of an Administrative Hearing). Reviews will be conducted by the director of student conduct or another hearing officer as designated by the director. In cases where the director of student conduct served as a Hearing Officer for a case (or in which the director cannot serve as an impartial reviewer), a Review will be conducted by the dean of students or designee. The finding and sanction issued by the original Hearing Officer are presumed to have been decided reasonably and appropriately, and the only grounds for appeal are as follows:

- New information discovered after the Administrative Hearing that could not have reasonably been available at the time of the hearing and is of a nature that could materially change the outcome
- Procedural errors within the student conduct process that may have substantially affected the fairness of the hearing
 - An outcome (findings or sanctions) that was manifestly contrary to the weight of the information presented during the case (i.e., obviously unreasonable and unsupported by the great weight of information)

The Reviewer may review the full case, beyond the aspects of the case outlined in the request for Review. If the Reviewer does not find that any of the three grounds for appeal are present in the case, the Reviewer will uphold the outcome (findings and sanctions) of the Hearing Officer. If the Reviewer finds that any of the grounds for appeal are present in the case, they may amend the decision of the original Hearing Officer or may issue a new outcome (findings and sanctions). The Reviewer has final authority to determine the outcome of the case. No additional appeal or review can be requested or granted and all sanctions will take effect immediately. In an extraordinary circumstance, the Reviewer may refer the case back to the Hearing Officer for further review. If the case is referred back to the Hearing Officer, the Reviewer may recommend that alternate policies or sanctions be considered. Additionally, if a case is referred back to the Hearing Officer, the new decision of the Hearing Officer is considered final (no additional Review will be granted). Following the Review, a written decision will be delivered as outlined in "Notification of Outcome" on page 144.

Administrative Hearings for Cases Involving Potential Separation from the University

Cases involving the potential for separation from the University will be jointly investigated, heard, and resolved by two Hearing Officers. Cases that result in separation from the University are not eligible for Review but will be eligible for Appeal as outlined on page 145.

Panel Hearings

Panel hearings are utilized in cases that have the potential to result in separation from the University, either because the respondent chose a panel hearing (instead of an administrative hearing) or because the case involves allegations of violence or sexual misconduct for which the victim is a current and continuing member of the University community. The following section outlines the investigative and hearing processes utilized in a Panel Hearing.

Investigations
 Investigators could be conduct administrators, other University staff trained as investigators, or external investigators hired by the University and trained in Northwestern's policies and procedures. Investigators will be identified, trained, and assigned to cases by the Office of Student Conduct.

An investigation typically involves, but is not limited to, reviewing reports of the incident, meeting with students to discuss the matter, gathering additional information from witnesses and other knowledgeable individuals, and otherwise exploring the circumstances of the event. The reporter and the respondent will both have the opportunity to speak with the investigator, to present a list of witnesses they suggest the investigator solicit information from, and to provide a list of questions they suggest the investigator ask the other party. Reporters and respondents may only present factual witnesses and may not present character or expert witnesses. The investigator will take the lists provided by the reporter and respondent into consideration when identifying whom they will interview and what questions they ask. The investigators may also choose to interview witnesses of their choosing. The investigator can choose to interview multiple witnesses, multiple reporters, or multiple respondents at the same time if they deem it to be necessary in their investigation. However, students from different groups should not meet with the investigator together (e.g., a reporter and a respondent, a reporter and a witness).

The investigator will submit a report of findings of fact, applying the preponderance of the evidence standard, at least five days prior to the meeting of the Panel. The report will be submitted to the Office of Student Conduct and will be distributed by the OSC to the Panel, the reporter, and the respondent. When possible, the investigator or the OSC will meet in person with the reporter and the respondent individually to deliver and discuss the findings presented by the investigator.

- The reporter and the respondent will have three business days from the receipt of the investigator's report to send a list of any questions they believe the Panel should ask the other party and/or the investigator based on the findings presented in the investigator's report. These should be submitted to the OSC, which will distribute them to the Panel.

Panels

Panel members will be students, faculty, and staff from the University community. Panel members will apply annually and will be selected by the Office of Student Conduct. The vice president for student affairs and the president of the Associated Student Government, or designee, will approve the selection of all Panel members.

The Panel for each case will typically be made up of five members. Ideally, each Panel will have at least two student members, though

in times when no student is available, a case can be heard with only faculty and staff members. The Office of Student Conduct should do its best to diversify each Panel—both in terms of social identities and affiliations within the University. Reporters and respondents will meet the members of the panel at the time of the hearing. If a reporter or respondent is concerned about the ability of a Panel member to act impartially, they can request to speak privately with the OSC Panel Coordinator and request that the OSC Panel Coordinator review the fit of the Panel member to hear their case. This request must be made at the beginning of the reporter/respondent's meeting with the Panel.

In cases where there are exigent circumstances (including, but not limited to concern for the safety or security of the University community or the academic progress of a student), or in cases where the timeline requires the case to be heard when a five-person Panel cannot reasonably be assembled (including, but not limited to finals weeks or periods of University break), a three-member Panel may be used in place of a five-member Panel and/or trained Hearing Officers who have no prior involvement in the case can serve as Panel members.

For additional information on panel hearings in cases involving alleged sexual misconduct, please see the section titled Cases Related to Sexual Misconduct on page 148.

Format of Panel Hearings

A Panel Hearing will include the three or five members of the Panel and a Panel Coordinator from the Office of Student Conduct. The role of the OSC Panel Coordinator is to ensure that the Panel follows the process set forth in this document, clarify any questions about the policies and procedures, and provide consult on available sanctions and past precedent.

The reporter and respondent will each be given an opportunity to independently speak to the Panel. During this time, they should provide their perspective on policy violations given the findings of the investigator. The reporter and the respondent will not meet with the Panel together but rather will be given individual time with the Panel. The reporter's and the respondent's time with the Panel will be structured as follows:

- Statement to the Panel: 10 minutes to present a statement to the Panel
 - Questions from the Panel
 - Final Statement: 5 minutes to provide any concluding comment
- Once the Panel has met with the reporter and the respondent, the Panel may meet privately with the investigator. During this time, Panel members will ask any clarifying questions they have of the investigator. They will consider the questions submitted by the reporter and the respondent when determining which questions to ask the investigator.

The Panel will deliberate the policy violations and sanction decisions in private with the OSC Panel Coordinator. The investigator will not be present but will remain available to the Panel for additional questions that may come up. During their deliberations, the Panel members will utilize the findings presented by the investigator and the information they heard from the reporter and the respondent to determine responsibility for each alleged policy violation. Absent significant information presented by the reporter or respondent during the hearing, the Panel will accept the findings presented in the investigator's report and utilize them to determine responsibility for each of the alleged policy violations. (For example, if an investigator submits a finding that, unprovoked, Joe hit John in the chest with a closed fist, and significant information to the contrary was absent in the hearing, the Panel will concur with the investigator's finding). The Panel will determine responsibility. A majority vote is needed to find a respondent responsible or not responsible for each policy in question. Each member of the Panel will have one vote.

Once the policy violations, if any, have been determined, and if the respondent has been found responsible for any policy violations, the Panel will determine appropriate sanctions. The Panel can consult the investigator, as well as the OSC Panel Coordinator, when considering sanction options, but the decision about which sanctions to issue is solely at the discretion of the three-member Panel. A majority vote is needed to issue a sanction. Each member of the Panel has one vote.

Notification of Outcome

Upon the conclusion of a hearing, the respondent will be promptly notified of the outcome in writing. In the case of an Administrative Hearing, this notification will be made by the Hearing Officer. In the case of a Panel Hearing, this notification will be made by the OSC Panel Coordinator. Notification to the respondent will include findings related to violations of policy, the rationale for these findings, sanctions imposed, and information regarding available review or appeal procedures.

In accordance with applicable law, the University may disclose to a victim the final result (the violation committed and any sanction imposed) of a student conduct hearing against an alleged perpetrator of a crime of violence (alleged or attempted commission of the following offenses: arson, assault offenses, burglary, criminal homicide, manslaughter, murder, destruction/damage/vandalism of property, kidnapping/abduction, robbery, sexual assault, dating or domestic violence or stalking. More information about federal regulations allowing such disclosures may be found at 34 CFR Part 99, App. A, which is available at www.ed.gov/offices/OM/fpcos/ferpa.

The student's academic program as well as other University programs (e.g., Athletics), may be notified of information related to a conduct

case, including the outcome, whenever there is a legitimate educational interest to do so (for example, when a finding of responsibility impacts the respondent's participation in a University program, or as necessary to implement accommodations for a reporter). If Northwestern University is not a student's home institution (e.g., students who are studying abroad or on exchange at Northwestern), the University reserves the right to notify the student's home institution of serious violations of University policy or accommodations related to a student's enrollment at the home institution.

For additional information on notification in cases involving alleged sexual misconduct, please see the section titled Cases Related to Sexual Misconduct on page 148.

Record of the Hearing

Records of all hearings are kept by the Office of Student Conduct.

The University errs on the side of protecting the privacy of the students involved. Any party involved is welcome to take notes during interviews, but audio or video recordings by the parties are not allowed. Any exception to this policy is the sole discretion of the director of the OSC or dean of students. Deliberations by conduct administrators or Panels are never recorded by means of audio or videotaping, and the University does not allow for the recording of these proceedings.

Also to help protect the privacy interests of the parties, while the reporter and the respondent are in possession of the investigative report, they are not permitted to duplicate it or in any way retain a copy (including electronically) at the conclusion of the case. If a reporter or respondent wishes to view any portion of the student conduct case record, they may schedule an appointment to view the information in the Office of Student Conduct. Copies of such records are not provided to the reporter or the respondent and cannot be made by the reporter or respondent. Any exception to this policy is in the sole discretion of the director of the OSC or dean of students. Conduct case records are only shared in accordance with FERPA and other University records policies.

Appeals

The parties in all cases resolved through a Panel Hearing, as well as cases resolved through an Administrative Hearing that resulted in a separation from the University may request an Appeal. A reporter or respondent (and a victim, if the victim is not the reporter, in an alleged violation of the Sexual Misconduct policy) may appeal the outcome of the hearing in writing to the OSC within a reasonable time as designated in the outcome letter (typically within 72 hours of their receipt of the outcome). The original finding and sanction are presumed to have

been decided reasonably and appropriately, and the only grounds for appeal are as follows:

- New information discovered after the hearing that could not have reasonably been available at the time of the hearing and is of a nature that could materially change the outcome
- Procedural errors within the student conduct process that may have substantially affected the fairness of the hearing
- An outcome (findings or sanctions) that was manifestly contrary to the weight of the information presented during the case (i.e., obviously unreasonable and unsupported by the great weight of information)

The Appeal is not a rehearing of the case; it is a written statement to the Appellate Panel (submitted through the OSC) specifically stating the grounds for the appeal and any supporting information. In cases involving multiple parties, the non-appealing party will be able to review the request for appeal and will be given an opportunity to submit a written response to the Appellate Panel (submitted through the OSC within a reasonable amount of time as designated by the OSC (typically within 72 hours of their notification of appeal)). The appealing party will be able to review the response.

Similar to the original investigation and hearing, the Appeal and response to the Appeal may not include any character or expert witness statements. The Appeal is solely conducted via written statements. Neither the respondent nor the reporter will be allowed to request an in-person meeting with the Appellate Panel. In an extraordinary circumstance, the Appellate Panel may request an in-person meeting with the reporter and respondent. Should the Appellate Panel request a meeting with one party, a meeting will also be requested with the other party.

The Appellate Panel will review the Appeal, the investigator's report, and the case record. The Appellate Panel may consult in confidence with other members of the University community in order to substantiate the grounds for appeal or to seek clarification of issues raised in the Appeal. (Examples might include, but are not limited to, consulting the investigator for the case on the specifics of the findings or consulting a conduct administrator about the student conduct process.)

The Appellate Panel may review the full case, beyond the aspects of the case outlined in the request for Appeal. If the Appellate Panel does not find that any of the grounds for appeal are present in the case, the Panel will uphold the outcome (findings and sanctions) of the Hearing Officers/Panel. If the Appellate Panel finds that any of the grounds for appeal are present in the case, they may amend the decision of the original Hearing Officer/Panel or may issue a new outcome (findings and sanctions). The Appellate Panel has final authority to determine the outcome of the case. No additional appeal or review can be

requested or granted and all sanctions will take effect immediately. In an extraordinary circumstance, the Appellate Panel may refer the case back to the Hearing Officer or Panel for further review. In this case, the Appellate panel may recommend that alternate policies or sanctions be considered. Additionally, if a case is referred back to the Hearing Officer/Panel, the new decision of the Hearing Officer/Panel is considered final (no additional Appeal will be granted).

A written decision will be delivered to both parties by the Office of Student Conduct within a reasonable amount of time following receipt of the written appeal (typically within three weeks).

Appellate Panel

A standing Appellate Panel will be appointed by the vice president for student affairs, or designee, and will be trained annually by the Office of Student Conduct. The Appellate Panel will be made up of senior-level administrators and academic leaders who represent the Division of Student Affairs and the Office of the Provost. Three members of the Appellate Panel must be involved in each appeal decision, and decisions are made by a majority vote. In times of exigent circumstances, a conduct administrator who has had no previous involvement in the case can be assigned by the OSC to fill in for a member of the Appellate Panel to ensure expediency of the decision. The OSC Panel Coordinator or designee will be privy to all Appellate Panel discussions to ensure compliance with the UHAS procedures.

